

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2228

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 23-485, Arizona Revised Statutes, is amended to  
3 read:

4 **23-485. Special inspectors**

5 A. The division, upon the request of any company authorized to insure  
6 against loss from explosion of boilers or lined hot water storage heaters in  
7 this state, may issue to any inspector of that company a certificate as a  
8 special inspector. The division may also, upon the request of any company  
9 operating boilers or lined hot water storage heaters in this state, issue to  
10 any inspector of the company a certificate as a special inspector. Before  
11 receiving a certificate, the inspector must satisfactorily pass a written  
12 examination given by the division.

13 B. A certificate as a special inspector in this state shall be issued,  
14 in lieu of such examination, if the inspector holds a certificate of  
15 competency as an inspector of boilers or lined hot water storage heaters for  
16 a state that has a standard of examination substantially equal to that of  
17 this state or a commission as an inspector of boilers and pressure vessels  
18 issued by the national board of boiler and pressure vessel inspectors.

19 C. A certificate as a special inspector for a company operating  
20 boilers or lined hot water storage heaters in this state shall be issued only  
21 if, in addition to meeting the requirements of this section, the inspector is  
22 employed full time by such company and the inspector's duties include making  
23 inspections of boilers or lined hot water storage heaters to be used by such  
24 company and not for resale.

25 D. Each company employing such special inspectors, within sixty days  
26 following each boiler certificate inspection made by the inspectors, shall  
27 file a report of the inspection with the division upon appropriate  
28 forms. Reports of external inspections shall not be required except when

1       such inspections disclose that the boiler or lined hot water storage heater  
2       is in a dangerous condition.

3           E. All insurance companies shall notify the division of all boilers or  
4       lined hot water storage heaters upon which insurance is written. All  
5       insurance companies shall also notify the division of all boilers or hot  
6       water storage heaters upon which insurance is cancelled, not renewed or  
7       suspended because of unsafe conditions.

8           F. THE FURNISHING OF, OR FAILURE TO FURNISH, INSURANCE INSPECTIONS OR  
9       ADVISORY SERVICES IN CONNECTION WITH OR INCIDENTAL TO THE ISSUANCE OR RENEWAL  
10      OF A POLICY OF PROPERTY, CASUALTY OR BOILER AND MACHINERY INSURANCE SHALL NOT  
11      SUBJECT THE INSURER, WHETHER DOMESTIC OR FOREIGN, ITS AGENTS, EMPLOYEES, OR  
12      SERVICE CONTRACTORS, TO LIABILITY FOR DAMAGES FROM INJURY, DEATH, OR LOSS  
13      OCCURRING AS A RESULT OF ANY ACT OR OMISSION IN THE COURSE OF THOSE SERVICES.  
14      THIS SECTION SHALL NOT APPLY IN THE EVENT THE GROSS NEGLIGENCE OF THE  
15      INSURER, ITS AGENT, EMPLOYEE, OR SERVICE CONTRACTOR, CREATED THE CONDITION  
16      THAT WAS THE PROXIMATE CAUSE OF INJURY, DEATH OR LOSS."

17     Amend title to conform

BILL KONOPNICKI

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